



# Merchant & Gould

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Fax Transmission | October 5, 2004

TO:	Commissioner for Patents Attn: <u>Office of Initial Patent Examination</u> P.O. Box 1450 Alexandria, VA 22313-1450	FROM:	Katherine M. Kowalchyk
		OUR REF:	11669.118USD1
		TELEPHONE:	612.371.5311

Total pages, including cover letter: 13

PTO FAX NUMBER 1-703-746.4060

If you do NOT receive all of the pages, please telephone us at 612.371.5204, or fax us at 612.332.9081.

Title of Document Transmitted:	<u>RESPONSE TO NOTICE TO COMPLY AND CERTIFICATE REGARDING SEQUENCE LISTING, NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES - PART 2, COMMUNICATION PURSUANT TO 37 CFR § 1.821(e), AND SEQUENCE LISTING</u>
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Applicant:	<u>COCHRAN ET AL.</u>
Serial No.:	<u>10/823,006</u>
Filed:	<u>APRIL 12, 2004</u>
Group Art Unit:	<u>1646</u>
Our Ref. No.:	<u>11669.118USD1</u>
Confirmation No.	<u>5028</u>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Katherine M. Kowalchyk  
Name: Katherine M. Kowalchyk  
Reg. No.: 36,848

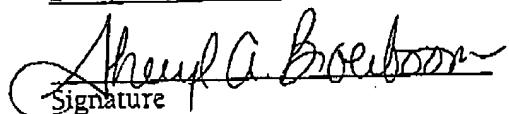
10-05-04 11:14AM FROM-Merchant & Gould

6123329081

T-141 P.002/013 F-520

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Sheryl A. Boerboom

  
Signature

Oct. 5, 2004

Date

GEN033.DOT

PAGE 2/13 \* RCVD AT 10/5/2004 12:33:39 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/0 \* DNIS:7464060 \* CSID:6123329081 \* DURATION (mm:ss):02-54



11:15AM FROM-Merchant &amp; Gould

6123329081

T-141 P.003/013 F-520

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	COCHRAN ET AL.	Examiner:	T. WESSENDORF
Serial No.:	10/823,006	Group Art Unit:	1646
Filed:	APRIL 12, 2004	Docket No.:	11669.118USD1
Confirmation No.:	5028	Customer No.:	23552
Title:	HAIRPIN PEPTIDES WITH A NOVEL STRUCTURAL MOTIF AND METHODS RELATING THERETO		

CERTIFICATE UNDER 37 CFR 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 5, 2004.

By: *Sheryl A. Boerboom*  
Name: Sheryl A. Boerboom

RESPONSE TO NOTICE TO COMPLY AND  
CERTIFICATE REGARDING SEQUENCE LISTING

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is being filed in response to the Examiner's communication mailed August 12, 2004. In response to the Notice to Comply and in accordance with the requirements of 37 C.F.R. § 1.821 - § 1.825, Applicants enclose herewith a communication pursuant to 37 CFR § 1.821(e) to request to use a Sequence Listing submitted in a previously filed application.

In accordance with MPEP §2422.05, a paper copy of the Sequence Listing is included with this communication. Please insert the paper copy into the file after the Executed Oath or Declaration, as required by 37 C.F.R. § 1.77(a)(15). Applicants hereby state that the sequence electronically filed in application Serial No. 09/836,770 and the paper copy of the Sequence Listing enclosed do not include new matter.

Pursuant to the Examiner's request, also enclosed is a copy of the Notice to Comply with the sequence listing rules. Accordingly, it is believed the application complies with the sequence listing requirements.

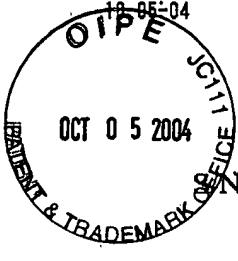
Respectfully submitted,

MERCHANT & GOULD P.C.  
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Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: October 5, 2004

*Katherine M. Kowalchyk*  
Katherine M. Kowalchyk  
Reg. No. 36,848





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T-141 P.005/013 F-520

OCT 05 2004

SIN 10/823,006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	COCHRAN ET AL.	Examiner:	T. WESSENDORF
Serial No.:	10/823,006	Group Art Unit:	1646
Filed:	APRIL 12, 2004	Docket No.:	11669.118USD1
Confirmation No.:	5028	Customer No.:	23552
Title:	HAIRPIN PEPTIDES WITH A NOVEL STRUCTURAL MOTIF AND METHODS RELATING THERETO		

CERTIFICATE UNDER 37 CFR 1.8(b):  
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 5, 2004.

By: *Sbcryl A. Boerboom*  
Name: Sbcryl A. Boerboom

COMMUNICATION PURSUANT TO 37 CFR §1.821(e)

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The paper copy of the Sequence Listing in this application Serial No. 10/823,006, is identical to the sequence listing filed electronically in application Serial No. 09/836,770, filed April 17, 2001. In accordance with 37 CFR 1.821(e), please use the last-filed form which was filed in that application electronically on December 9, 2003 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included herewith.

Respectfully submitted,



MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: October 5, 2004

*Katherine M. Kowalchyk*  
Katherine M. Kowalchyk  
Reg. No. 36,848



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,006	04/12/2004	Andrea G. Cochran	11669.118USD1

## CONFIRMATION NO. 5028

23552  
 MERCHANT & GOULD PC  
 P.O. BOX 2903  
 MINNEAPOLIS, MN 55402-0903

## FORMALITIES LETTER



\*OC000000013523438\*

Date Mailed: 08/12/2004

O I P E  
 OCT 05 2004  
 P A T E N T & T R A D E M A R K O F F I C E  
**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
 DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

10-05-04 11:16AM FROM-Merchant & Gould

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T-141 P.013/013 F-520

*A copy of this notice MUST be returned with the reply.*

Muglin

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE